COURT FEE 5 Rs. भारत INDIA पांच रुपये FIVE RUPEES

COURT FEE 20 Rs. भारत INDIA बीस रुपये TWENTY RUPEES

CF0000110564

(2)

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR.

MISC. PETITION 1517 OF 1994.

PETITIONER: Subhash Chandra Agrawal, Son of Late Manoharilal Agarwal, aged 38 years, Resident of Behind Jhajharia Bhawan, Tikrapara, Bilaspur, Madhya Pradesh.

- Versus -

RESPONDENTS:

1. Union of India, through, its General Manager, South Eastern Railway, Garden Reach, Calcutta.
2. Divisional Railway Manager, South Eastern Railway, Bilaspur.
3. Senior Divisional Engineer, South Eastern Railway, Bilaspur.
4. Executive Director, Land Management, Railway Board, New Delhi.

Filed on 19.4.94.
by Shri Sanjay Yadav Advocate
R.L.D.R.
19-4-94

COMMISSIONER Smt. SUMAN SONI

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR A WRIT IN THE NATURE OF CERTIORARI MANDAMUS AND FOR NECESSARY DIRECTIONS.

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1517/94 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

06-04-2005

Shri V.R. Tiwari, counsel for the petitioner.

Shri Vinay Harit, Sr. Advocate with Smt. Preeti Budhia, Shri counsel for the respondents/Railways.

Heard.

Learned counsel for the petitioner submits that the petitioner has filed an affidavit regarding allotment of plot/ shop. Paras 3, 5 and 6 of the affidavit are relevant and quoted below :

> *"3. That, on the request of respondent No. 2 and 3 the petitioner has dismantled his superstructure voluntarily and handed over the vacant possession of the involved premises to the Railway administration on 2-10-1986 before the visit of State Minister for Railways. Subsequently, the respondent No.2 and 3 considering the fact that the petitioner has voluntarily handed over the vacant possession of the involved premises, an alternative site was given behind the D.I. bungalow where he is still continuing his business.*
>
> *5. That the Respondent Divisional Engineer told in the meeting that the alternative site for you all have been approved by the competent authority. It has also been said that necessary plan is being prepared by an Architect. The proposed site is near D.I. bungalow or near Union Office. In this connection your acceptance is required to shift at proposed site requested by the Railway Administration. In the meeting I have given by consent to accept the alternate site as proposed by the Railway*

[पीछे देखिये

130

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WP 1517/94

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Administration alongwith all the shopkeepers.

6. That, the petitioner is hereby agreed to accept the alternate site as proposed by the Railway Administration where all the shopkeepers will be shifted.

Learned counsel for the respondents/Railways very fairly submitted that the petitioner is being considered for allotment of alternative plot as he is still occupying the plot/shop in the Railway Station circulating area. He also submits that till finalization of the case of the petitioner for allotment of alternative plot, the Railway Administration has no immediate plans for evicting the petitioner.

The statement made by learned counsel for the respondents/Railways is recorded.

In view of the aforesaid affidavit/statement, the respondents/Railways is directed to decide the matter regarding allotment of the alternative plot/shop to the petitioner as early as possible preferably within a period of one month.

Subject to the aforesaid observations and directions the petition stands disposed of.

Consequently, pending applications, if any, also stand disposed of.

Sd/-
Fakhruddin
Judge

Gowri

19.9.05
24.8.05

[पीछे देखिये